

To: PATRIC J. BUCKLEY  
WALKER DIGITAL CORPORATION  
FIVE HIGH RIDGE PARK  
STAMFORD CT 06905

**PCT**

**NOTIFICATION OF TRANSMITTAL OF  
INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

(PCT Rule 71.1)

Date of Mailing  
(day/month/year)

**18 JUN 2001**

Applicant's or agent's file reference

98-124WO

**IMPORTANT NOTIFICATION**

International application No.

PCT/US00/18474

International filing date (day/month/year)

06 JULY 2000

Priority Date (day/month/year)

22 JULY 1999

Applicant

WALKER DIGITAL, LLC.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Name and mailing address of the IPBA/US  
Commissioner of Patents and Trademarks  
Box PCT  
Washington, D.C. 20231

Facsimile No. (703) 305-3230

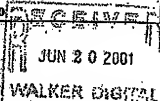
Authorized officer

ERIC STAMBER

*Peggy Harrod*

Telephone No. (703) 305-3800

Form PCT/IPBA/416 (July 1992)\*



# PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 98-124WO	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US00/18474	International filing date (day/month/year) 06 JULY 2000	Priority date (day/month/year) 22 JULY 1999
International Patent Classification (IPC) or national classification and IPC IPC(7):G06F 17/60 and US CL:705/10,14		
Applicant WALKER DIGITAL, LLC.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 3 sheets.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70:16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 1 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of report with regard to novelty, inventive step or industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability, citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand  08 FEBRUARY 2001	Date of completion of this report  15 MAY 2001
Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231	Authorized officer  ERIC STAMBER <i>Peggy Harrod</i>
Facsimile No. (703) 305-3230	Telephone No. (703) 305-3800

Form PCT/IPEA/409 (cover sheet) (July 1998) \*

## I. Basis of the report

## 1. With regard to the elements of the international application:\*

☒ the international application as originally filed☒ the description:

pages 1-25

pages NONE, as originally filed

pages NONE, filed with the demand

pages NONE, filed with the letter of

☒ the claims:

pages 26-33

pages NONE, as originally filed

pages NONE, as amended (together with any statement) under Article 19

pages NONE, filed with the demand

pages NONE, filed with the letter of

☒ the drawings:

pages 1-11

pages NONE, as originally filed

pages NONE, filed with the demand

pages NONE, filed with the letter of

☒ the sequence listing part of the description:

pages NONE

pages NONE, as originally filed

pages NONE, filed with the demand

pages NONE, filed with the letter of

## 2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language

☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).☐ the language of publication of the international application (under Rule 48.3(b)).☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and 55.3).

## 3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

☐ contained in the international application in printed form.☐ filed together with the international application in computer readable form.☐ furnished subsequently to this Authority in written form.☐ furnished subsequently to this Authority in computer readable form.☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.4. ☒ The amendments have resulted in the cancellation of:☒ the description, pages NONE☒ the claims, Nos. NONE☒ the drawings, sheets/sig NONE5. ☐ This report has been drawn as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\*

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement:**

**1. statement**

Novelty (N)	Claims <u>1-52</u>	YES
	Claims <u>NONE</u>	NO
Inventive Step (IS)	Claims <u>1-52</u>	YES
	Claims <u>NONE</u>	NO
Industrial Applicability (IA)	Claims <u>1-52</u>	YES
	Claims <u>NONE</u>	NO

**2. citations and explanations (Rule 70.7)**

Claims 1-52 meet the criteria set out in PCT Article 39(2)-(4), because the prior art does not teach or fairly suggest receiving an indication that the customer is interested in purchasing the item; and evaluating information associated with the transaction to determine a subsidy offer, the subsidy offer being associated with a benefit from a subsidy provider to be applied to the transaction.

**NEW CITATIONS**

Stephen H. Giffs. Law Dictionary. Legal Guides. pages 114-116 and 340.  
Cellular wrong Signals. Newsday. 22 July 1993, p. 39.

Ed Poster. Can Mixing Cookcoes with Online Marketing be a recipe for heartburn. InfoWorld. 1830. July 22, 1996.

File No:	98-124 US
Attorney:	DPA
Due Date:	08/18/01
Docketed:	06/20/01

## PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

NOTIFICATION OF TRANSMITTAL OF  
THE INTERNATIONAL SEARCH REPORT  
OR THE DECLARATION

(PCT Rule 44.1)

To:  
WALKER DIGITAL CORPORATION  
Intellectual Property Department  
Attn: MASCHOFF, Kurt M.  
One High Ridge Park  
Stamford, Connecticut 06905  
UNITED STATES OF AMERICA

Date of mailing  
(day/month/year) 23/03/2000 ✓

Applicant's or agent's file reference  
WD2-98-042WO

FOR FURTHER ACTION See paragraphs 1 and 4 below

International application No.  
PCT/US 99/21720 ✓

International filing date  
(day/month/year) 22/09/1999 ✓

Applicant

WALKER DIGITAL CORPORATION et al.

1. ☒ The applicant is hereby notified that the International Search Report has been established and is transmitted herewith.  
Filing of amendments and statement under Article 19:  
The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 48).

When? The time limit for filing such amendments is normally 2 months from the date of transmittal of the International Search Report; however, for more details, see this notice on the accompanying sheet.

Where? Directly to the International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland  
Facsimile No.: (41-22) 740.14.85

For more detailed instructions, see the notes on the accompanying sheet.

File No: 98-042 WO  
Attorney: DPA  
Due Date: 05/23/00  
Docketed: 03/31/00

2. ☐ The applicant is hereby notified that no International Search Report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith.
3. ☐ With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:
- ☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Office.
- ☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. Further action(s): The applicant is reminded of the following:

Shortly after 18 months from the priority date, the International Application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the International Application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.2, respectively, before the completion of the technical preparations for International publication.

Within 19 months from the priority date, a demand for International preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later).

Within 20 months from the priority date, the applicant must perform the prescribed acts for entry into the national phase before all designated Offices which have not been elected in the demand or in a later election within 19 months from the priority date or could not be elected because they are not bound by Chapter II.

Name and mailing address of the International Searching Authority



European Patent Office, P.O. Box 5818 Patendlaan 2  
NL-2280 HV Rijswijk  
Tel. (+31-70) 340-3040, Tx: 31 651 epo nl  
Fax (+31-70) 340-3016

Authorized officer

Lucia Van Pinxteren

# PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>WD2-98-042W0</b>	<b>FOR FURTHER ACTION</b> <small>see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.</small>	
International application No. <b>PCT/US 99/ 21720</b>	International filing date (day/month/year) <b>22/09/1999</b>	(Earliest) Priority Date (day/month/year) <b>05/10/1998</b>
Applicant <b>WALKER DIGITAL CORPORATION et al.</b>		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 3 sheets.  
☒ It is also accompanied by a copy of each prior art document cited in this report.

**1. Basis of the report**

- a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).
- b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international search was carried out on the basis of the sequence listing:
- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

2. ☐ Certain claims were found unsearchable (See Box I).

3. ☐ Unity of invention is lacking (see Box II).

**4. With regard to the title,**

- ☒ the text is approved as submitted by the applicant.
- ☐ the text has been established by this Authority to read as follows:

**5. With regard to the abstract,**

- ☒ the text is approved as submitted by the applicant.
- ☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

**6. The figure of the drawings to be published with the abstract is Figure No.**

- ☒ as suggested by the applicant.
- ☐ because the applicant failed to suggest a figure.
- ☐ because this figure better characterizes the invention.

12, 13  
☐ None of the figures.

# INTERNATIONAL SEARCH REPORT

International Application No.  
PCT/US 99/21720

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 G06F17/60

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 G06F

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 98 06050 A (FIRST DATA CORP) 12 February 1998 (1998-02-12) abstract; claim 1 page 1, line 4 - line 12 page 2, line 18 - line 28 page 3, line 15 - page 4, line 7	1-40
X	WO 98 28699 A (MERIDIAN ENTERPRISES INC) 2 July 1998 (1998-07-02) abstract page 1, line 10 - page 2, line 23	1-40

-/-

u.s.

File No:	98-042
Attorney:	DPA
Due Date:	05/23/00
Docketed:	03/31/00

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

\* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubt on priority claim(s) or which is cited to establish the publication date of another claim or other special reason (see specification)

"O" document relating to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"Z" document member of the same patent family

Date of the actual completion of the international search

16 March 2000

Date of mailing of the international search report

23/03/2000

Name and mailing address of the ISA

European Patent Office, P.B. 5018 Patentamt 2  
NL - 2280 HV Rijswijk  
Tel. (+31-70) 340-2000, Tx. 31.651 epo nl  
Fax (+31-70) 340-3018

Authorized officer

Suendermann, R

# INTERNATIONAL SEARCH REPORT

International Application No.  
PCT/US 99/21720

## C. (Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	<p>US 5 537 314 A (KANTER MARK W)  16 July 1996 (1996-07-16)  abstract; claim 1  column 6, line 49 - line 67  column 7, line 25 - line 40  column 8, line 50 - column 9, line 30  column 16, line 35 - column 17, line 22</p>	1-40



## NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the PCT Applicant's Guide, a publication of WIPO.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions respectively.

### INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only.

#### What parts of the international application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

#### When?

Within 2 months from the date of transmittal of the international search report or 18 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

#### Where not to file the amendments?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

#### How?

Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Administrative Instructions, Section 205(b)).

The amendments must be made in the language in which the international application is to be published.

#### What documents must/may accompany the amendments?

##### Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

## NOTES TO FORM PCT/ISA/220 (continued)

The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- (i) the claim is unchanged;
- (ii) the claim is cancelled;
- (iii) the claim is new;
- (iv) the claim replaces one or more claims as filed;
- (v) the claim is the result of the division of a claim as filed.

The following examples illustrate the manner in which amendments must be explained in the accompanying letter:

1. [Where originally there were 48 claims and after amendment of some claims there are 51]:  
"Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers; claims 30, 33 and 36 unchanged; new claims 49 to 51 added."
2. [Where originally there were 15 claims and after amendment of all claims there are 11]:  
"Claims 1 to 15 replaced by amended claims 1 to 11."
3. [Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding new claims]:  
"Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added." or  
"Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged."
4. [Where various kinds of amendments are made]:  
"Claims 1-10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added."

### "Statement under article 19(1)" (Rule 46.4)

The amendments may be accompanied by a statement explaining the amendments and indicating why they are necessary. Such a statement might have on the description and the drawings (which cannot be amended under Article 19(1)).

The statement will be published with the international application and the amended claims.

It must be in the language in which the international application is to be published.

It must be brief, not exceeding 500 words if in English or if translated into English.

It should not be confused with and does not replace the letter indicating the differences between the claims as filed and as amended. It must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words "Statement under Article 19(1)".

It may not contain any disparaging comments on the international search report or the relevance of citations contained in that report. Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

### Consequence if a demand for international preliminary examination has already been filed

If, at the time of filing any amendments under Article 19, a demand for international preliminary examination has already been submitted, the applicant must preferably, at the same time of filing the amendments with the International Bureau, also file a copy of such amendments with the International Preliminary Examining Authority (see Rule 62.2(a), first sentence).

### Consequence with regard to translation of the international application for entry into the national phase

The applicant's attention is drawn to the fact that, where upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/elected Office, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see Volume II of the PCT Applicant's Guide.

## PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference WD2-99-006WO	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, Item 3 below.	
International application No. PCT/US29/13819	International filing date (day/month/year) 18 JUNE 1999	(Earliest) Priority Date (day/month/year) 19 JUNE 1998

Applicant  
WALKER DIGITAL CORPORATION

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 5 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. ☐ Certain claims were found unsearchable (See Box I).
2. ☐ Unity of invention is lacking (See Box II).
3. ☐ The international application contains disclosure of a nucleotide and/or amino acid sequence listing and the international search was carried out on the basis of the sequence listing.
  - ☐ filed with the international application.
  - ☐ furnished by the applicant separately from the international application,
    - ☐ but not accompanied by a statement to the effect that it did not include matter going beyond the disclosure in the international application as filed,
    - ☐ transcribed by this Authority.
4. With regard to the title,
  - ☒ the text is approved as submitted by the applicant.
  - ☐ the text has been established by this Authority to read as follows:
5. With regard to the abstract,
  - ☐ the text is approved as submitted by the applicant.
  - ☒ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.
6. The figure of the drawings to be published with the abstract is:
  - Figure No. 1 ☒ as suggested by the applicant.
  - ☐ because the applicant failed to suggest a figure.
  - ☐ because this figure better characterizes the invention.
  - ☐ None of the figures.

Form PCT/ISA/210 (first sheet) (July 1992)

## Box III TEXT OF THE ABSTRACT (Continuation of item 5 of the first sheet)

The abstract is too long (PCT Rule 8.1(b)). The abstract must be less than 150 words, or 200 words when no Figure is to be published.

The technical features mentioned in the abstract do not include a reference sign between parentheses (PCT Rule 8.1(d)).

## NEW ABSTRACT

A controller (110) is in communication with a plurality of vendors (170, 180, 190) that are servicing customers, as well as with a plurality of "subsidizing" vendors (140, 150, 160) seeking access to those customers. The controller (110) receives from a first vendor an indication of one or more items that a customer is to purchase. In response, the controller (110) transmits, on behalf of a subsidizing vendor (140, 150, 160), an indication of an offer for a subsidy such as a reduction in the customer's purchase price. If the customer accepts the offer, the controller (110) provides an amount of funds from the subsidizing vendor to the first vendor. The controller (110) also facilitates a transaction between the customer and the subsidizing vendor (140, 150, 160). For example, the customer may be required to sign up for a service (e.g. credit card account service) that is provided by the subsidizing vendor (140, 150, 160).

OCT 25 1999

PCT WALKER DIGIT

From the INTERNATIONAL SEARCHING AUTHORITY

To: DEAN ALERUCCI  
INTELLECTUAL PROPERTY DEPARTMENT  
WALKER DIGITAL CORPORATION  
ONE HIGH RIDGE PARK  
STAMFORD, CONNECTICUT 06905

NOTIFICATION OF TRANSMITTAL OF  
THE INTERNATIONAL SEARCH REPORT  
OR THE DECLARATION

(PCT Rule 44.1)

Date of Mailing  
(day/month/year) 21 OCT 1999

Applicant's or agent's file reference  
WD2-99-006WO

FOR FURTHER ACTION See paragraphs 1 and 4 below

International application No.

International filing date  
(day/month/year)

PCT/US99/13819

18 JUNE 1999

Applicant  
WALKER DIGITAL CORPORATION

1. ☒ The applicant is hereby notified that the international search report has been established and is transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

When? The time limit for filing such amendments is normally 2 months from the date of transmittal of the international search report; however, for more details, see the notes on the accompanying sheet.

Where? Directly to the International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland  
Facsimile No.: (41-22) 740.14.35

For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith.

3. ☐ With regard to the protest against payment of (an) additional fee(s) under Rule 49.2, the applicant is notified that:
- ☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.
  - ☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. Further action(s): The applicant is reminded of the following:

Shortly after 18 months from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in rules 90 bis 1 and 90 bis 3, respectively, before the completion of the technical preparations for international publication.

Within 19 months from the priority date, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later).

Within 20 months from the priority date, the applicant must perform the prescribed acts for entry into the national phase before all designated Offices which have not been elected in the demand or in a later election within 19 months from the priority date or could not be elected because they are not bound by Chapter II.

Name and mailing address of the ISA/US  
Comptroller of Patents and Trademarks  
Box PCT  
Washington, D.C. 20231

Facsimile No. (703) 305-3230

Authorized officer

ALLEN MACDONALD

Telephone No. (703) 305-9708

Joni Hill

Form PCT/ISA/220 (January 1994)\*

(See notes on accompanying sheet)

## A. CLASSIFICATION OF SUBJECT MATTER

IPC(5) : G06F 17/60, 17/00  
 US CL : 705/26, 14

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 705/26, 14, 1, 27, 16

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

Please See Extra Sheet.

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X Y	US 5,434,394 A (ROACH et al) 18 July 1995 Figure 3a, 3b, and 3c. col. 1 lines 50-67, col. 2 lines 48-65, col. 6 lines 1-5, col. 10	1, 13, 31, 61-69 2-12, 14 -30, 32-60
X Y	US 5,570,417 A (BYERS) 29 October 1996, ab. col. 4 lines 27-62 col. 5	1, 13, 31 61-69 2-12, 14 -30, 32-60
Y	FICKENSCHER, LISA. American Express Seeks to Mine Its Data on Cardholder Spending Patterns. The American Banker. 24 March 1997. p 20.	2-12, 14 -30, 32-60

☒ Further documents are listed in the continuation of Box C. ☐ See patent family annex.

* Special categories of cited documents:	* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"A" document defining the general state of the art which is not considered to be of particular relevance	"C" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"B" earlier document published on or after the international filing date	"D" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combinations being obvious to a person skilled in the art
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"E" document published prior to the international filing date but later than the priority date claimed
"O" document referring to an oral disclosure, use, exhibition or other means	"F" document member of the same patent family

Date of the actual completion of the international search	Date of mailing of the international search report
16 SEPTEMBER 1999	21 OCT 1999
Name and mailing address of the ISA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231 Facsimile No. (703) 305-3230	Authorized officer ALLEN MACDONALD Telephone No. (703) 305-9708 <i>Joe Hill</i>

## C (Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	FICKENSCHER, LISA. Amex to Start Free Rewards Program with Discounts on Merchandise. The American Banker. 18 October 1996 p 10.	2-12, 14 -30, 32-60
Y	FITZGERALD, KATE. Amex Program Moves Loyalty to Next Level. Advertising Age. 04 November 1996. p 2	2-12, 14 -30, 32-60
Y,P	US 5,893,075 A (PLAINFIELD et al) 06 April 1999 col. 4 lines 51-65, col. 6 lines 36-58	1-67
Y,B	US 5,918,211 A (SLOANE) 29 June 1999 col. 5 lines 64-67, col. 6 lines 1-11, col. 8 lines 1-50	1-67

**B. FIELDS SEARCHED**

Electronic data bases consulted (Name of data base and where practicable terms used):

**AFS, DIALOG**

search terms: promotion, rebate, discount, reward, incentive, credit card, online shopping, cashback, application, service provider



These Notes are intended to give the basic instructions concerning the filing of amendments under Article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the PCT Applicant's Guide, a publication of WIPO.

In these Notes, "Article", "Rule" and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions, respectively.

## INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g., the applicant wants the letter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only.

### What parts of the international application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Preliminary Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 22 or, where applicable, Article 41.

**When?** Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

### Where not to file the amendments?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

**How?** Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Administrative Instructions, Section 205(b)).

The amendments must be made in the language in which the international application is to be published.

### What documents must/may accompany the amendments?

**Letter (Section 285(b)):**

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

## PATENT COOPERATION TREATY

From the  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITYTo: PATRICK J. BUCKLEY  
INTELLECTUAL PROPERTY DEPARTMENT  
WALKER DIGITAL CORPORATION  
ONE HIGH RIDGE PARK  
STAMFORD, CONNECTICUT 06905

PCT

WRITTEN OPINION

(PCT Rule 66)

Applicant's or agent's file reference 99-006WO		Date of Mailing (day/month/year) 16 MAY 2000
International application No. PCT/US99/13819		REPLY DUE within TWO months from the above date of mailing
International filing date (day/month/year) 18 JUNE 1999	Priority date (day/month/year) 19 JUNE 1998	
International Patent Classification (IPC) or both national classification and IPC IPC(7): G06F 17/00, 17/00 and US CL: 705/26, 14		
Applicant WALKER DIGITAL, LLC		

1. This written opinion is the first (first, etc.) drawn by this International Preliminary Examining Authority.
2. This opinion contains indications relating to the following items:
- I ☒ Basis of the opinion
  - II ☒ Priority
  - III ☐ Non-establishment of opinion with regard to novelty, inventive step or industrial applicability
  - IV ☐ Lack of unity of invention
  - V ☒ Reasoned statement under Rule 65.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
  - VI ☐ Certain documents cited
  - VII ☐ Certain defects in the international application
  - VIII ☐ Certain observations on the international application
3. The applicant is hereby invited to reply to this opinion.
- When? See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(d).
- How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 65.3. For the form and the language of the amendments, see Rules 65.8 and 65.9.
- Also For an additional opportunity to submit amendments, see Rule 65.4.  
For an informal communication with the examiner, see Rule 65.6.
- If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.
4. The final date by which the international preliminary examination report must be established according to Rule 69.2 is: 19 OCTOBER 2000

Name and mailing address of the IP/EA/US  
Controller of Patents and Trademarks  
Box PCT  
Washington, D.C. 20231

Facsimile No. (703) 305-3230

Form PCT/IEPA/408 (cover sheet) (July 1998)

Authorized officer

TOD SWANN

Telephone No. (703) 308-7791

Joni Hill

WRITTEN OPINION

International application No.

PCT/US99/13819

I. Basis of the opinion

1. With regard to the elements of the international application:\*

- ☒ the international application as originally filed  
the description:  
☒ pages 1-34, as originally filed  
pages NONE, as amended (together with any statement) under Article 19  
pages NONE, filed with the letter of \_\_\_\_\_
- ☒ the claims:  
pages 35-52, as originally filed  
pages NONE, as amended (together with any statement) under Article 19  
pages NONE, filed with the letter of \_\_\_\_\_
- ☒ the drawings:  
pages 1-25, as originally filed  
pages NONE, as amended (together with any statement) under Article 19  
pages NONE, filed with the letter of \_\_\_\_\_
- ☒ the sequence listing part of the description:  
pages NONE, as originally filed  
pages NONE, as amended (together with any statement) under Article 19  
pages NONE, filed with the letter of \_\_\_\_\_

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.  
These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).  
☐ the language of publication of the international application (under Rule 48.3(b)).  
☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the written opinion was drawn on the basis of the sequence listing:

- ☐ contained in the international application in printed form.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority in written form.  
☐ furnished subsequently to this Authority in computer readable form.  
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.  
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☒ The amendments have resulted in the cancellation of:

- ☒ the description, pages NONE  
☒ the claims, Nos. NONE  
☒ the drawings, sheets/fig. NONE

5. ☐ This opinion has been drawn as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed".

## WRITTEN OPINION

International application No.

PCT/US99/13319

## II. Priority

1. ☐ This opinion has been established as if no priority had been claimed due to the failure to furnish within the prescribed time limit the requested:
- ☐ copy of the earlier application whose priority has been claimed.
  - ☐ translation of the earlier application whose priority has been claimed.
2. ☒ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid.

Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

## 3. Additional observations, if necessary:

The claimed priority document, US Application 09/100,684, consists of an entirely different specification and claims from the present application, and does not disclose or describe any of the features claimed by the present application. Therefore, the claimed invention is being examined as of its international filing date.

## WRITTEN OPINION

International application No.

PCT/US99/13819

**V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. statement**

Novelty (N)

Claims 1-69 YES

Claims NONE NO

Inventive Step (IS)

Claims NONE YES

Claims 1-69 NO

Industrial Applicability (IA)

Claims 1-69 YES

Claims NONE NO

**2. citations and explanations**

Claims 1-3, 12-14, 17-27, 30-33, 37, 39, 41-44, 47-57, 59, and 61-69 lack an inventive step under PCT Article 33(3) as being obvious over Logan.

Claims 1, 2, 12-14, 17-26, 30, 31, 37, 39, 41, 43, 47-50, 54, 57, and 61-66: Logan discloses a method, apparatus, and a computer readable medium for providing a discount to a customer which includes:

- receiving an indication that customer is to purchase one or more items from a vendor (col 18, lines 26-35);
- selecting (col 6, lines 56-60; col 12, lines 24-27; and column 24, line 1 - column 25, line 25) and providing an offer or offers (discount/coupon/subsidy) to the customer from one or more second vendors (manufacturer/advertiser) prior to the purchase transaction being completed (col 26, lines 53-59);
- receiving a response from the customer accepting the offer (column 26, lines 53-59);
- providing an amount of funds to the first vendor (col 26, lines 53-59) from a customer's account;
- facilitating a transaction(s) between the customer and the second vendor(s) (col 29, line 40 - col 31, line 67); and
- receiving an amount of funds from the second vendor(s) (col 20, lines 3-7).

While Logan discloses that the advertisement could contain hyperlinks to the second vendor(s), it is not explicitly disclosed that the customer would complete a transaction with the second vendor(s). However, since the Applicant has defined "facilitating a transaction" as "providing a hyperlink" in Claim 2, the Examiner is applying this definition when interpreting feature (e) of Claim 1.

Logan also does not explicitly disclose what the offer consists of other than being a type of advertisement. It is old and well known within the marketing art that an advertisement can be for any product or service, normally offered at a discount, and that the customer is oftentimes required to complete some action before the discount is applied. Examples of these are: discount offers in which the customer must purchase one item and get a second or similar item for 50% of the normal price; an (Continued on Supplemental Sheet.)

## Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: Boxes I - VIII

Sheet 10

## TIME LIMIT:

The time limit set for response to a Written Opinion may not be extended. 37 CFR 1.484(d). Any response received after the expiration of the time limit set in the Written Opinion will not be considered in preparing the International Preliminary Examination Report.

## V. 2. REASONED STATEMENTS - CITATIONS AND EXPLANATIONS (Continued):

offer which provides the customer a free product upon purchasing of a first item; and offers which award the customer free services for signing up with a company (i.e. 50 hours free internet time when signing up with AOL). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include in the offer an indication of a transaction the customer is required to perform in exchange for receiving the subsidy amount (or other benefit). One would have been motivated to include this information in the offer in order to allow the customer to make a better choice when confronted with several offers.

Claim 3: Logan discloses the method, apparatus, and computer readable medium as in Claim 1 above and further discloses transmitting a form to the customer for receiving information (col 8, lines 42-63).

Claim 27, 33, 42, 44, 59, and 67-69: Logan discloses the method, apparatus, and computer readable medium as in Claims 13 and 31 above and further discloses calculating the second amount based on the first amount (col 26, line 4 - col 27, line 36).

Claim 32: Logan discloses the method, apparatus, and computer readable medium as in Claim 31 and further discloses displaying the offer in text format (col 4, lines 34-47).

Claims 51-53, 55, and 56: Logan discloses the method, apparatus, and computer readable medium as in Claim 49 above and further discloses providing the offers either simultaneously or sequentially based on rank to the customer (col 25, lines 15-25). While Logan does not explicitly disclose providing the next offer based upon the rejection, acceptance, or profit of the previous offer, these are obvious variations/alternatives which could be used by Logan when ranking the offers. One would have been motivated to use one or more of these factors while ranking the offers in order to present more pertinent offers to the customer, thereby increasing the likelihood of the offer being accepted by the customer.

Claims 4-11 lack an inventive step under PCT Article 33(3) as being obvious over Logan in view of Saxe.

Claim 4: Logan discloses the method as in Claim 1 above, but does not disclose determining a service provider for the customer. Saxe discloses a similar method in which the customer information includes the customer's "cable account numbers and cable system identification numbers" (col 4, lines 18-27). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include information about the customer's service provider. One would have been motivated to include this information in order to increase the accuracy and utility of the customer information database when used for marketing programs.

Claims 5-11: Logan discloses the method as in Claim 1 above, and Saxe discloses determining the service provider of the customer as in Claim 4 above. However, neither of the references disclose the steps involved in changing the customer to the new service provider upon receiving an indication of accepting such a change from the customer. It is old and well known within the art to provide promotional offers for customers to switch from one service provider to another, such as long distance service providers (AT&T vs Sprint vs MCI), Internet connection service providers (AOL vs Prodigy vs CompuServe), etc. It is also well known that one will normally cancel any existing service agreement with another service provider when initiating a new service agreement with the second service provider. It is also obvious to check the second service provider's customer database to ensure that the requester is not already a customer. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for the second service provider to check for duplicate membership and to initiate a new service contract with the customer if not a duplicate, and to cancel any existing service agreements with other service providers. One would have been motivated to do these steps in order to prevent duplication of services being provided to the customer.

Claims 15, 16, 28, 29, 45, 46, 58, and 60 lack an inventive step under PCT Article 33(3) as being obvious over Logan in view of Weinblatt.

Claims 15 and 16: Logan discloses the method as in Claim 13 above and further discloses that the offer selection is based on a subject area (category) or a program (item) (col 9, lines 5-50), but does not explicitly disclose that the offer selection is based

## Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: Boxes I - VIII

Sheet 11

on the item or the cost of the item. Weinblatt discloses a similar method in which the offer (reward) is based on the purchase parameters, such as number of items, item cost, category of item, etc. (col 13, line 11 - col 14, line 19). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to base the offer on various parameters of the purchase information. One would have been motivated to use the price of the item or the total payment amount in order to present offers customized to the purchase to increase the likelihood that the customer will accept the offer.

Claims 28, 29, 45, 46, 58, and 60: Logan discloses the method as in Claim 13 above, but does not disclose that the price is reduced by a predetermined amount or percentage if the price of the item is greater than the predetermined amount. Weinblatt discloses a similar method in which the promotions (offers) "can involve coupons for lowering the price" "...2 for 1 sale, oversize containers sold for the same price, manufacturer rebates, combining one product with another product, free giveaways, eligibility for a prize drawing, etc." (col 8, lines 40-45). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made that various types of offers could be utilized to include price reductions based on a predetermined amount, a predetermined percentage, reduction of the price to zero (free giveaway), etc. It also would have been obvious to limit the reduction to no more than the total price of the item. One would have been motivated to include these types of price reductions and to place such a limit on the reduction in order to increase the flexibility of the system while preventing the merchant from losing money by actually paying the customer to take the item.

Claims 34-36, 38, and 40 lack an inventive step under PCT Article 33(3) as being obvious over Logan in view of Dedrick ('884).

Claims 34-36, 38, and 40: Logan discloses the method as in Claim 33 above and further discloses capturing the customer's "credit card information or the like for use in subscriber billing" (col 8, lines 66-67), but not explicitly disclose crediting the amount of funds to the credit card account in one or more crediting transactions. Dedrick ('884) discloses a similar method in which the amount "may be charged or credited, respectively, to the consumer's credit card or bank account" (col 15, lines 8-26 and col 9, lines 39-41). It is also well known within the arts to make subsequent credits to the account when rebates or monthly service contracts, etc. are involved. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to credit the customer's credit card account with the appropriate amounts and to make subsequent credits to the account when necessary. One would have been motivated to credit the amounts to the account in order to transfer the money needed to complete the transaction.

## NEW CITATIONS

US 5,721,827 A (LOGAN et al) 24 FEBRUARY 1998, see column 4, lines 34-47; column 8, line 64 - column 9, line 50; column 12, lines 4-27; column 18, lines 26-35; column 20, lines 3-7; column 24, line 1 - column 25, line 25; and column 26, line 4 - column 27, line 36; and column 29, line 40 - column 31, lines 67.

US 5,636,346 A (SAXE) 03 JUNE 1997, see column 4, lines 18-27.

US 5,515,270 A (WEINBLATT) 07 MAY 1996, see column 13, line 11 - column 14, line 19.

US 5,710,884 A (DEDRICK) 20 JANUARY 1998, see column 15, lines 8-26 and column 19, lines 39-41.

US 5,724,521 A (DEDRICK) 03 MARCH 1998, see column 15, lines 14-31.

US 5,774,868 A (CRAGUN et al) 30 JUNE 1998, see column 2, line 26 - column 3, line 4.

File No:	99-006 U.S.
Attorney:	PB
Due Date:	07/16/00
Docketed:	05/19/00

## PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference WD2-88-109WC	FOR FURTHER ACTION	see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, Item 5 below.
International application No. PCT/AUS99/15409	International filing date (day/month/year) 14 JUNE 1999	(Priority Date (day/month/year)) 19 JUNE 1998
Applicant WALKER DIGITAL CORPORATION		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 4 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

- ☐ Certain claims were found unsearchable (See Box I).
- ☐ Unity of invention is lacking (See Box II).
- ☐ The international application contains disclosure of a nucleotide and/or amino acid sequence listing and the international search was carried out on the basis of the sequence listing
  - ☐ filed with the international application.
  - ☐ furnished by the applicant separately from the international application.
    - ☐ but not accompanied by a statement to the effect that it did not include matter going beyond the disclosure in the international application as filed.
  - ☐ transmitted by this Authority.
- With regard to the text.
  - ☒ the text is approved as submitted by the applicant.
  - ☐ the text has been established by this Authority to read as follows:
- With regard to the abstract.
  - ☐ the text is approved as submitted by the applicant.
  - ☒ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.
- The figure of the drawings to be published with the abstract is:
  - Figure No. 16
    - ☒ as suggested by the applicant.
    - ☐ because the applicant failed to suggest a figure.
    - ☐ because this figure better characterizes the invention.
  - ☐ None of the figures.



PCT OCT 25 1999  
WALKER DIGITAL

To: DEAN ALDERUCCI  
INTELLECTUAL PROPERTY DEPARTMENT  
WALKER DIGITAL CORPORATION  
ONE HIGH RIDGE PARK  
STAMFORD, CONNECTICUT 06905

NOTIFICATION OF TRANSMITTAL OF  
THE INTERNATIONAL SEARCH REPORT  
OR THE DECLARATION

(PCT Rule 44.1)

Date of Mailing  
(day/month/year)

21 OCT 1999

Applicant's or agent's file reference

WD2-98-109WO

FOR FURTHER ACTION See paragraphs 1 and 4 below

International application No.

PCT/US99/13409

International filing date  
(day/month/year)

14 JUNE 1999

Applicant

WALKER DIGITAL CORPORATION

1. ☒ The applicant is hereby notified that the international search report has been established and is transmitted herewith.  
Filing of amendments and statement under Article 19:  
The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):  
When? The time limit for filing such amendments is normally 2 months from the date of transmittal of the international search report; however, for more details, see the notes on the accompanying sheet.  
Where? Directly to the International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland  
Facsimile No.: (41-22) 740.14.35  
For more detailed instructions, see the notes on the accompanying sheet.
2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith.
3. ☐ With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:  
☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.  
☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.
4. Further action(s): The applicant is reminded of the following:  
Shortly after 18 months from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in rules 90 bis 1 and 90 bis 3, respectively, before the completion of the technical preparations for international publication.  
Within 19 months from the priority date, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later).  
Within 20 months from the priority date, the applicant must perform the prescribed acts for entry into the national phase before all designated Offices which have not been elected in the demand or in a later election within 19 months from the priority date or could not be elected because they are not bound by Chapter II.

Name and mailing address of the ISA/US  
Commissioner of Patents and Trademarks  
Box PCT  
Washington, D.C. 20531  
Facsimile No. (703) 305-3230

Authorized officer

ALLEN MACDONALD

Telephone No. (703) 305-9708

Joni Hill

Form PCT/ISA/220 (January 1994)\*

(See notes on accompanying sheet)

The abstract is too long (PCT Rule 8.1(b)). The abstract must be less than 150 words, or 200 words when no Figure is to be published.

The technical features mentioned in the abstract do not include a reference sign between parentheses (PCT Rule 8.1(d)).

#### NEW ABSTRACT

A merchant server of a first merchant receives an indication (1602) of items that a customer is to purchase via a web site. The indication (1602) may be, for example, a signal indicating that the customer is ready to "check out" his shopping cart of items on the web site. In response, the merchant server provides an offer (1604) for a subsidy from a second merchant. The offer (1604) is provided before the items are purchased, and thus the offer is not provided unless and until the customer has manifested an intent to make a purchase from the first merchant. A response (1606) is received from the customer. If the response (1606) indicates acceptance of the offer, then the subsidy is applied to the items purchased (1610). For example, the total price paid for the items may be reduced, or the items may even be provided to the customer without charge.

**A. CLASSIFICATION OF SUBJECT MATTER**

IPC(8) : 0606 1750, 1700

US CL. : 705/26, 34

According to International Patent Classification (IPC) or to both national classification and IPC

**B. FIELDS SEARCHED**

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 705/26, 34, 1, 27, 16

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

APS, DIALOG

Search terms: promotion, rebate, discount, reward, incentive, shopping cart, online shopping, cashback

**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X Y	US 5,434,394 A (ROACH et al) 18 July 1995 Figure 3a, 3b and 3c, col. 1 lines 50-67, col. 2 lines 48-65, col. 6 lines 1-5, col. 10	1, 51, 54 -56, 61-63
X Y	US 5,570,417 A (BYERS) 29 October 1996, abs. col. 4 lines 27-62 col. 5	2-50, 52-53, 57-60, 64 1, 51, 54 -56, 61-63 2-50, 52 -53, 57-60, 64
Y	FICKENSCHER, LISA. American Express Seeks to Mine Its Data on Cardholder Spending Patterns. The American Banker. 24 March 1997. p 20	1-64

☒ Further documents are listed in the continuation of Box C. ☐ See patent family annex.

* Special categories of cited documents:	*"
*A* document defining the general state of the art which is not considered to be of particular relevance	*"
*B* earlier document published on or after the international filing date	*"
*C* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	*"
*D* document referring to an oral disclosure, use, exhibition or other means	*"
*E* document published prior to the international filing date but later than the priority date claimed	*"
	*A* document not member of the same patent family

Date of the actual completion of the ISA/US

16 SEPTEMBER 1999

Date of mailing of the international search report

21 OCT 1999

Name and mailing address of the ISA/US  
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Joni Hill

Form PCT/ISA/210 (second sheet) (July 1992)\*

## C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	FICKENSCHER, LISA. Amex to Start Free Rewards Program with Discounts on Merchandise. The American Banker. 18 October 1996 p 10.	1-64
Y	FITZGERALD, KATE. Amex Program Moves Loyalty to Next Level. Advertising Age 04 November 1996 p 2	1-64
Y,P	US 5,893,075 A (PLAINFIELD et al) 06 April 1999 col. 4 lines 51-65, col. 6 lines 36-58	2-50
Y,E	US 5,918,211 A (SLOANE) 29 June 1999 col. 5 lines 64-67, col. 6 lines 1-11 col. 8 lines 1-50	2-50

From the  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITYTo: PATRICK J. BUCKLEY  
INTELLECTUAL PROPERTY DEPARTMENT  
WALKER DIGITAL CORPORATION  
ONE HIGH RIDGE PARK  
STAMFORD, CONNECTICUT 06903

PC

WRITTEN OPINION

(PCT Rule 66)

*Cross-Subsidy Cir*Date of Mailing  
(day/month/year)

05 MAY 2000

Applicant's or agent's file reference

98-109WO

REPLY DUE

within TWO months  
from the above date of mailing

International application No.

PCT/US99/13409

International filing date (day/month/year)

14 JUNE 1999

Priority date (day/month/year)

19 JUNE 1998

International Patent Classification (IPC) or both national classification and IPC  
IPC(Cl): G06R 17/60, 17/00 and US CL: 705/26, 14

Applicant

WALKER DIGITAL, LLC

1. This written opinion is the first (first, etc.) drawn by this International Preliminary Examining Authority.
2. This opinion contains indications relating to the following items:
- I ☒ Basis of the opinion
  - II ☒ Priority
  - III ☐ Non-establishment of opinion with regard to novelty, inventive step or industrial applicability
  - IV ☐ Lack of unity of invention
  - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
  - VI ☐ Certain documents cited
  - VII ☒ Certain defects in the international application
  - VIII ☐ Certain observations on the international application
3. The applicant is hereby invited to reply to this opinion.
- When? See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to extend an expiration—see Rule 66.2(c).
- How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.5 and 66.6.
- Also For an additional opportunity to submit amendments, see Rule 66.4. For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4 bis. For an informal communication with the examiner, see Rule 66.6.
- If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.
4. The final date by which the international preliminary examination report must be established according to Rule 69.2 is: 19 OCTOBER 2000

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*Jon Hill*

Form PCT/IPEA/408 (cover sheet) (January 1994)\*

## L. Basis of the opinion

1. This opinion has been drawn on the basis of (Substitute sheets which have been furnished to the receiving Office in response to invitation under Article 14 are referred to in this opinion as "originally filed"):

- ☒ the international application as originally filed.
- ☒ the description, pages 1-21, as originally filed.  
 pages NONE, filed with the demand.  
 pages NONE, filed with the letter of \_\_\_\_\_
- ☒ the claims, Nos. 1-64, as originally filed.  
 Nos. NONE, as amended under Article 19.  
 Nos. NONE, filed with the demand.  
 Nos. NONE, filed with the letter of \_\_\_\_\_
- ☒ the drawings, sheets/fig 1-18, as originally filed.  
 sheets/fig NONE, filed with the demand.  
 sheets/fig NONE, filed with the letter of \_\_\_\_\_

2. The amendments have resulted in the cancellation of:

- ☒ the description, pages NONE
- ☒ the claims, Nos. NONE
- ☒ the drawings, sheets/fig NONE

3. ☐ This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box Additional observations below (Rule 70.2(c)).

4. Additional observations, if necessary:  
 NONE

File No:	98-109 U.S.
Attorney:	DFA
Due Date:	07/05/00
Docketed:	05/09/00

## II. Priority

1. ☐ This opinion has been established as if no priority had been claimed due to the failure to furnish within the prescribed time limit the requested:
- ☐ copy of the earlier application whose priority has been claimed.
  - ☐ translation of the earlier application whose priority has been claimed.
2. ☒ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid.

## 3. Additional observations, if necessary:

The claimed priority document, US Application 09/100,684, consists of an entirely different specification and claims from the present application, and does not contain any of the features claimed by the present application. Therefore, the claimed invention is being examined as of its international filing date.

**V. Reasoned statement under Rule 66.2(a)(II) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. STATEMENT**

Novelty (N)

Claims (Please See supplemental sheet)

YES

Claims (Please See supplemental sheet)

NO

Inventive Step (IS)

Claims (Please See supplemental sheet)

YES

Claims (Please See supplemental sheet)

NO

Industrial Applicability (IA)

Claims (Please See supplemental sheet)

YES

Claims (Please See supplemental sheet)

NO

**2. CITATIONS AND EXPLANATIONS**

Claims 1, 2, 5-9, 15, 16, 18, 19, 42-45, 49, 51-54, 62, and 64 lack novelty under PCT Article 33(2) as being anticipated by Logan.

Claim 1: Logan discloses a method for providing a discount to a customer which includes:

- a. receiving an indication that a customer is to purchase an item from a merchant (col 18, lines 26-35);
- b. providing an offer (discount/coupon/subsidy) to the customer from a second merchant (manufacturer/advertiser) prior to the purchase transaction being completed (col 26, lines 53-59);
- c. receiving a response from the customer accepting the offer (column 26, lines 53-59);
- d. applying the benefit (discount/subsidy) to the item (col 26, lines 53-59).

Claim 2: Logan discloses the method as in claim 1 above and further discloses receiving customer information (col 5, lines 7-19).

Claims 5 and 45: Logan discloses the method as in Claims 1 and 2 above and further discloses providing an offer from a second merchant selected from a plurality of merchants based on the customer information (col 9, lines 23-50).

Claim 6: Logan discloses the method as in Claim 2 above and further discloses providing an offer based on the customer information (col 9, lines 23-50).

Claim 7: Logan discloses the method as in Claim 2 above and further discloses requesting and receiving customer information from the customer (col 9, lines 12-22).

Claims 8 and 9: Logan discloses the method as in Claim 7 above and further discloses transmitting a question to the customer and receiving the customer's answer (col 9, lines 12-22).

(Continued on Supplemental Sheet)



**VII. Certain defects in the international application**

The following defects in the form or contents of the international application have been noted:

Claim 64 is objected to under PCT Rule 66.2(a)(iii) as containing the following defect(s) in the form or contents thereof: the dependency of the claim refers to "claim E", which does not exist in the present application. Examiner assumes that this is a typographical error and will consider the claim as dependent upon claim 63.

## Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: Boxes I - VIII

Sheet 10

## TIME LIMIT:

The time limit set for response to a Written Opinion may not be extended. 37 CFR 1.484(d). Any response received after the expiration of the time limit set in the Written Opinion will not be considered in preparing the International Preliminary Examination Report.

## V. 1. REASONED STATEMENTS:

The opinion as to Novelty was positive (YES) with respect to claims 3, 4, 10-14, 17, 20-41, 46-48, 50, 55-61, and 63.  
 The opinion as to Novelty was negative (NO) with respect to claims 1, 2, 5-9, 15, 16, 18, 19, 42-45, 49, 51-54, 62, and 64.  
 The opinion as to Inventive Step was positive (YES) with respect to claims NONE.  
 The opinion as to Inventive Step was negative (NO) with respect to claims 1-64.  
 The opinion as to Industrial Applicability was positive (YES) with respect to claims 1-64.  
 The opinion as to Industrial Applicability was negative (NO) with respect to claims NONE.

## V. 2. REASONED STATEMENTS - CITATIONS AND EXPLANATIONS (Continued):

Claims 15 and 16: Logan discloses the method as in Claim 2 above and further discloses providing the offer after receiving and based upon the customer information (col 9, lines 23-59).

Claim 18: Logan discloses the method as in Claim 2 above and further discloses that the customer information includes the location/Internet address of the customer (col 5, lines 7-67 and column 8, lines 64-66).

Claims 19, 51, and 54: Logan discloses the method as in Claim 1 above and further discloses that the benefit is a reduced price (discount) for the item (col 27, lines 3-6).

Claim 42: Logan discloses the method as in Claim 1 above and further discloses providing the offer only when a predetermined rule is satisfied (col 12, lines 4-15).

Claims 43 and 44: Logan discloses the method as in Claim 1 above and further discloses providing a plurality of offers from the merchant (col 12, lines 4-15) and receiving an indication of a selected offer from the customer (col 12, lines 24-27).

Claims 49 and 53: Logan discloses the method as in Claims 1 and 51 above and further discloses receiving a payment from the second merchant upon acceptance of the offer (col 20, lines 3-7).

Claims 52 and 64: Logan discloses the method as in Claim 51 above and further discloses obliging the amount, based on the difference between total price and price charged, to the customer's credit card (col 2, lines 64-67).

Claim 62: Logan discloses the method as in Claim 1 above and further discloses generating a customer interface for allowing the customer to interact with the system (col 10, lines 51-55).

Claims 10-14, 29-32, 55-61, and 63 lack an inventive step under PCT Article 33(3) as being obvious over Logan.

Claim 10: Logan discloses the method as in Claim 2 above but does not disclose verifying the accuracy of the customer information. It is old and well known within the information arts to verify incoming data, such as customer information. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to verify the customer information upon receipt. One would have been motivated to verify the accuracy of this information in order to ensure the database is kept as up-to-date and as accurate as possible.

Claims 11-13: Logan discloses the method as in Claim 10 above, but does not disclose assessing a penalty if the customer information is not accurate. It is old and well known within the information arts to penalize users when the entered information, such as log-in and password information, is not accurate. It is also well known that this penalty may take many forms, such as monetary, denial of service, disconnection, etc. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made that when the information is not accurate to penalize the customer. One would have been motivated to penalize the customer in one of these manners in order to ensure the accuracy of the information retained in the database and to enforce any limitations on the benefit, such as the number of times a customer may receive the benefit within a specified time period, etc.

Claim 14: Logan discloses the method as in claim 10 above, but does not disclose verifying the information prior to

**Supplemental Box**

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: Boxes I - VIII

Sheet 11

consummating the purchase. It would have been obvious to one having ordinary skill in the art at the time the invention was made to ensure that the information was accurate prior to processing the transaction. One would have been motivated to ensure this prior to completing the transaction in order to prevent entry of fraudulent or inaccurate information into the database and to ensure the purchased item is delivered to the correct address.

**Claims 29-32:** Logan discloses the method as in Claim 1 above, but does not disclose requesting the customer participate in a transaction with a second merchant, receiving an indication from the customer agreeing to such participation, nor that the agreement is to initiate a service contract with the second merchant. It is old and well known within the marketing art to provide offers for service contracts on items being purchased and that these contracts are with a second merchant. Examples of this type of offer are maintenance contracts available to a purchaser of an automobile, a computer, or other high cost items. The actual maintenance/service is performed by a second merchant normally distinct from the retail merchant from which the customer bought the item. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide service or maintenance offers from a second merchant to the customer while purchasing the item. One would have been motivated to provide this type of offer during the purchase transaction in order to more easily identify owners of such items.

**Claim 55:** Logan discloses the method as in Claims 1 and 29 above, but does not disclose cancelling the second transaction upon receipt of a revocation of the acceptance from the customer. It is old and well known within the marketing art that transactions can be cancelled or retracted by the customer prior to completion of the purchase. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to cancel the transaction upon receiving a revocation of the acceptance from the customer. One would have been motivated to cancel the transaction in order to provide better customer service and to preclude erroneous billing and shipping of the item to a customer who does not want it.

**Claims 58-60 and 63:** Logan discloses the method as in Claim 1 above, and discloses transmitting a form to the customer who completes the form and returns it to the system (col 6, lines 48-56). However, Logan does not disclose that the offer is a discount based on the customer's application for a credit card, nor that the customer completes and submits an application form online after the system determines that the customer does not already have another credit card account with the credit card issuer. It is old and well known within the marketing art to make promotional offers to customers who will complete and submit application forms for credit cards. These offers are not only made at a merchant's point of sale, but are prevalent throughout our "plastic" society. Indeed, with the advent of "sponsored" credit cards several years ago, such as banks and even gasoline companies issuing VISA cards, surveys have shown that each American receives dozens of such offers each year. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a promotion based on a credit card application by the customer. One would have been motivated to use such a promotion in order to increase the amount of credit available to the customer, thus enticing the customer to spend more at the merchant. One would have been motivated to ensure that the customer did not already have an account with the credit card issuer in order to avoid providing an excessive credit limit to a customer.

**Claim 61:** Logan discloses the method as in Claim 1 above and further discloses the second merchant (advertiser) providing offers targeted to the specific customer, but does not explicitly disclose sending the customer information to the second merchant prior to receiving the targeted offer. It would have been obvious to one having ordinary skill in the art at the time the invention was made that the second merchant would require the customer information in order to provide an offer targeted to that customer. One would have been motivated to provide the customer information after receiving the indication that the customer was willing to purchase an item in order to allow new customers, whose information was just being collected, to participate in the customized offer system.

**Claims 3, 4, 17, and 33-40** lack an inventive step under PCT Article 35(3) as being obvious over Logan in view of Saxe.

**Claims 3, 4, and 33:** Logan discloses the method as in Claim 2 above, but does not disclose that the customer information includes a service or service provider. Saxe discloses a similar method in which the customer information includes the customer's "cable account numbers and cable system identification numbers" (col 4, lines 18-27). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include information about the customer's service and service provider. One would have been motivated to include this information in order to increase the accuracy and utility of the customer information database when used for marketing programs.

**Claim 17:** Logan discloses the method as in Claim 1 above, but does not disclose receiving the customer information from a third party. Saxe discloses a similar method which receives the customer information either directly from the customer as Logan discloses, or from "third party demographic sources", etc. (col 6, lines 39-48). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to obtain at least part of the customer information

## Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: Boxes I - VIII

Sheet 12

from third party sources. One would have been motivated to obtain the information in this way in order to further expand the information in the database without requiring the customer to enter a large amount of data.

Claims 34-40: Logan discloses the method as in Claim 1 above, and Saxo discloses determining the service provider of the customer as in Claim 33 above. However, neither of the references disclose the steps involved in changing the customer to the new service provider upon receiving an indication of accepting such a change from the customer. It is old and well known within the art to provide promotional offers for customers to switch from one service provider to another, such as long distance service providers (i.e. AT&T vs Sprint vs MCI), Internet connection service providers (i.e. AOL vs Prodigy vs CompuServe), etc. It is also well known that one will normally cancel any existing service agreement with another service provider when initiating a new service agreement with the second service provider. It is also obvious to check the second service provider's customer database to ensure that the requester is not already a customer. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for the second service provider to check for duplicate membership and to initiate a new service contract with the customer if not a duplicate, and to cancel any existing service contract with other service providers. One would have been motivated to do these steps in order to prevent duplication of services being provided to a customer.

Claims 20-28, 41, 46-48, 50 lack an inventive step under PCT Article 33(3) as being obvious over Logan in view of Weinblatt.

Claims 20-28: Logan discloses the method as in Claim 19 above, but does not disclose that the price is reduced by a predetermined amount or percentage or reduced to zero (free item) or that the reduction is taken if the price of the item is greater than the reduction amount. Weinblatt discloses a similar method in which the promotions (offers) "can involve coupon for lowering the price" "...2 for 1 sale, oversize containers sold for the same price, manufacturer rebates, combining one product with another product, free giveaways, eligibility for a prize drawing, etc." (col 8, lines 40-45). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made that various types of offers could be utilized, to include price reductions based on a predetermined amount, a predetermined percentage, reduction of the price to zero (free giveaway), etc. It also would have been obvious to limit the reduction to no more than the total price of the item. One would have been motivated to include these types of price reductions and to place such a limit on the reduction in order to increase the flexibility of the system while preventing the merchant from losing money by actually paying the customer to take the item.

Claims 41, 46-47, and 50: Logan discloses the method of Claim 1 above, but does not disclose that the offer is made only if the price of the item is greater than a predetermined threshold. Weinblatt discloses a similar method in which the offer (reward) is based on the purchase parameters, such as number of items, item cost, category of item, etc. (col 13, line 11 - col 14, line 19). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to base the offer on various parameters of the purchase information. One would have been motivated to use the price of the item or the total payment amount in order to present offers customized to the purchase to increase the likelihood that the customer will accept the offer.

Claim 48: Logan discloses the method of Claim 1 above, and Weinblatt discloses basing the offer on the item. Weinblatt also discloses that the advertiser will select the offer (col 13, line 11 - col 14, line 19). This infers that the advertiser is selecting the offer from a plurality of such offers. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to select the offer from a plurality of offers. One would have been motivated to have a plurality of offers available in order to increase the range of customers and items with matching parameters.

## NEW CITATIONS

US 5,721,827 A (LOGAN et al) 24 FEBRUARY 1998, see column 5, lines 7-67; column 6, lines 48-56; column 8, lines 64-66; column 9, lines 12-50; column 10, lines 51-53; column 12, lines 4-27; column 18, lines 26-33; column 20, lines 3-7; column 24, lines 1-14; and column 26, lines 53-59.

US 5,636,346 A (SAXE) 03 JUNE 1997, see column 4, lines 18-27 and column 6, lines 9-33.

US 5,515,270 A (WEINBLATT) 07 MAY 1996, see column 13, line 11 - column 14, line 19.

US 5,710,884 A (DEDRICK) 20 JANUARY 1998, see column 15, lines 8-26 and column 19, lines 39-41.

US 5,724,521 A (DEDRICK) 03 MARCH 1998, see column 15, lines 14-31.

## Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: Boxes I - VIII

Sheet 13

US 5,774,868 A (CRAGUN et al) 30 JUNE 1998, see column 2, line 26 - column 3, line 4.